

SCOTT N. SCHOOLS, SC SBN 9990
 United States Attorney
 JOANN M. SWANSON, CSBN 88143
 Assistant United States Attorney
 Chief, Civil Division
 ILA C. DEISS, NY SBN 3052909
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-7124
 FAX: (415) 436-7169

Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

VADIM FURMAN,

Plaintiff,

v.

Department of Homeland Security,
 MICHAEL CHERTOFF, Secretary;
 United States Citizenship and Immigration
 Services, EMILIO T. GONZALEZ, Director;
 United States Citizenship and Immigration
 Services, ROSEMARY MELVILLE, District
 Director; U.S. Attorney General, ALBERTO
 GONZALES; Federal Bureau of Investigations,
 ROBERT S. MUELLER, III, Director,

Defendants.

No. C 07-4363 PVT

**PARTIES' JOINT REQUEST TO BE
 EXEMPT FROM FORMAL ADR
 PROCESS**

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this action is limited to plaintiff's request that this Court compel defendants to adjudicate the

1 application for naturalization. Defendants have already requested the FBI expedite the name check
2 so that the application may be processed as soon as possible. Given the substance of the action
3 and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and
4 unnecessarily tax court resources.

5 Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the
6 ADR Multi-Option Program and that they be excused from participating in the ADR phone
7 conference and any further formal ADR process.

8 Dated: November 7, 2007

Respectfully submitted,

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10 SCOTT N. SCHOOLS
United States Attorney

11
12 /s/
ILA C. DEISS
Assistant United States Attorney
13 Attorneys for Defendants

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15 Dated: November 6, 2007

/s/
16 CARRIE L. ROSENBAUM
Attorney for Plaintiff

17 **ORDER**

18 Pursuant to stipulation and to ADR L. R. 3-3(c), the parties are hereby removed from the ADR
19 Multi-Option Program and are excused from participating in the ADR phone conference and any
20 further formal ADR process.

21 **SO ORDERED.**

22
23 Dated:

PATRICIA V. TRUMBULL
24 United States Magistrate Judge